

**PAULETTE L. STEWART**  
**Assistant U.S. Attorney**  
**U.S. Attorney's Office**  
**901 Front Street, Suite 1100**  
**Helena, MT 59626**  
**Phone: (406) 457-5120**  
**FAX: (406) 457-5130**  
**E-Mail: [paulette.stewart@usdoj.gov](mailto:paulette.stewart@usdoj.gov)**

**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**MISSOULA DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>CHRISTOPHER WHITE,</b> <i><b>aka Gregory White, Jahnyi Foster,</b></i> <i><b>Raymond Wright,</b></i>  <b>Defendant.</b>	<b>CR 21-08-M-DLC</b>  <b>OFFER OF PROOF</b>
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**THE CHARGE**

The defendant is charged in the indictment with the crime of illegal reentry of a deported or removed alien in violation of 8 U.S.C. §§ 1326(a) and (b)(1).

## **PLEA AGREEMENT**

Pursuant to a plea agreement, the defendant will plead guilty to the indictment. The plea agreement entered into by the parties and filed with the Court represents, in the government's view, the most favorable offer extended to the defendant. *See Missouri v. Frye*, 566 U.S. 134 (2012).

## **ELEMENTS**

In order for the defendant to be found guilty of illegal entry of a deported or removed alien as charged in the indictment, the United States must prove each of the following elements beyond a reasonable doubt:

- First, the defendant was removed from the United States on March 13, 2020;
- Second, thereafter, the defendant voluntarily entered the United States;
- Third, at the time of entry the defendant knew he was entering the United States;
- Fourth, the defendant was found in the United States without having obtained the consent of the Secretary of the Department of Homeland Security to reapply for admission into the United States;

- Fifth, the defendant was an alien at the time of the defendant's entry into the United States; and
- Sixth, the defendant was free from official restraint at the time he entered the United States.

The defendant further acknowledges in the plea agreement that he was convicted of felony offenses in the Supreme Court, New York County, State of New York in 2013 and 2017.

### **PENALTY**

This offense carries a maximum punishment of ten years imprisonment, a \$250,000 fine, three years supervised release, and a \$100 special assessment.

### **ANTICIPATED EVIDENCE**

If this case were tried in United States District Court, the United States would prove the following:

1. On January 23, 2021, Christopher White, a Jamaican national who was removed from the United States in March 2020, returned to the United States near West Kootenai and not at a port of entry. He was found after a 75-mile car chase where Rastesfaye Neil (CR-21-07-M-DWM) was driving. Two other men illegally crossed the international border with White, as photographed by USBP cameras. White has an

extensive criminal history from the State of New York, which is also where he was removed in March 2020.

2. On January 23, 2021, at approximately 8:55 a.m., Spokane Sector Border Patrol Dispatch received trail camera activation notifications indicating three subjects dressed in camouflage and dark clothing carrying black backpacks crossing the border from Canada into the United States in the area of West Kootenai, Montana.
3. At approximately 9:35 a.m., two Border Patrol Agents (BPA) located a dark in color Nissan Sentra with temporary tags on West Kootenai road leaving the area where the three subjects had crossed illegally over the international boundary fence into the United States. West Kootenai road is the only road leading in and out of that area. The agents noted that the vehicle's windows were fogged up, but they were able to see multiple occupants in the Nissan Sentra as they passed by on the road.
4. The agents immediately turned around in order to get a better look at the vehicle. The agents then activated their emergency lights and sirens in an attempt to conduct a vehicle stop. The Nissan Sentra pulled to the side of the road after continuing to drive for

approximately another quarter mile. As the agents approached the Nissan Sentra on foot the driver of the Nissan Sentra accelerated away at a high rate of speed.

5. Once the Nissan Sentra crossed the Koocanusa Bridge, the driver appeared to alter his direction of travel upon seeing another Border Patrol vehicle and turned northbound on Highway 37 toward Eureka, Montana. A third BPA began following the vehicle from a safe distance while providing updates to other responding agents. Lincoln County Sheriff's Office (LSCO) was contacted and requested to take over the pursuit. Due to the high rate of speed, the third BPA was only able to follow the Nissan Sentra to the Eureka cemetery. At that point, a LSCO deputy picked up pursuit of the Nissan Sentra as it entered the city limits of Eureka.
6. The Nissan Sentra continued at high rates of speed heading southeast on Highway 93 toward Whitefish, Montana. Flathead County Sheriff's Office (FCSO) and Montana Highway Patrol (MHP) were notified of the incoming pursuit. MHP and FCSO deployed a Vehicle Immobilization Device on the Nissan Sentra on Highway 93. The Nissan Sentra came to a stop down a small embankment off the

highway, approximately four miles north of Whitefish, Montana.

FCSO and MHP made contact with the four occupants and placed them under arrest.

7. All subjects were transported to the Whitefish Border Patrol station for processing and fingerprints. A search of law enforcement databases revealed the driver of the Nissan Sentra to be that of Rastesfaye Alpha Neil (United States Citizen) (CR 21-07-M-DWM) and the passengers as Christopher White (Jamaica Citizen), Naseem Ali Mohammed *aka Bati Ahmed* (Somalia National, Canadian Legal Permanent Resident) (CR 21-06-M-DLC) and Afrah Ahmed Abdi (United States Legal Permanent Resident, Somalia National) (MJ 21-13-M-KLD and MJ 21-17-M-KLD).
8. On January 23, 2021, White's fingerprints were submitted in IDENT, ABIS and NGI. Fingerprint queries revealed White's name is Christopher White, DOB 1980 (A074 732 223). IDENT confirmed one prior order of removal.
9. A review of White's immigration history showed the following:

On July 14, 2010 Homeland Security Investigation agents arrested Christopher White and he was given a Final Order of Removal by an Immigration Judge on August 23, 2010. White

appealed the decision and on July 4, 2016. White was listed as an absconder. White was taken back into custody on December 18, 2019 and deported on March 13, 2020 through Buffalo, New York to Canada via Peace Bridge, Buffalo, New York.

10. A review of White's criminal history showed the following

convictions in the State of New York:

- a. Approximately 17 various misdemeanor offenses from 1998 through 2009;
- b. On July 10, 2013, Conviction for Criminal Possession of a Weapon – 2; Loaded Firearm-other than person's home/business. Severity: Felony. Sentence: 3 Years Confinement; 5 years' probation.
- c. On July 10, 2013, Conviction for Assault 2nd degree: Intent to cause physical Injury with Weapon/Instrument. Severity: Felony. Sentence: 3 Years Confinement; 5 years' probation.
- d. On March 21, 2017, Conviction for Grand Larceny 3rd degree: Property Value Exceeds \$3000. Severity: Felony. Sentence: 3 Years to 6 Years.

11. There is no indication in the files of the Department of Homeland

Security that the defendant ever applied for or obtained the permission from the Secretary of the Department of Homeland Security to reenter the United States.

DATED this 20th day of March 2021.

LEIF M. JOHNSON  
Acting United States Attorney

/s/ Paulette L. Stewart  
Assistant United States Attorney